

Message to the Senate Transmitting the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal

May 17, 1991

To the Senate of the United States:

I transmit herewith, for the advice and consent of the Senate to ratification, the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, with Annexes, done at Basel on March 22, 1989. The report of the Department of State is enclosed for the information of the Senate.

The Convention, which was negotiated under the auspices of the United Nations Environment Program with the active participation of the United States, makes environmentally sound management the prerequisite to any transboundary movement of wastes. To that end, it bars transboundary movements unless every country involved has consented. Even when consent is obtained, shipments must be prohibited when either the country from which the wastes are exported or the country in which the wastes will be disposed have reason to believe that the shipment will not be handled in an environmentally sound manner. The Convention also provides for the environmentally sound management of wastes that are illegally transported.

Upon receiving the unanimous recommendation of interested agencies, I personally authorized signature of the Conven-

tion by the United States last March. The notice-and-consent regime it establishes advances environmental goals that the United States has long held. We were one of the first nations to enact legislation prohibiting exports of hazardous wastes without the consent of the importing country. In March 1989, as negotiations of this Convention were concluding, I announced that the Administration planned to seek statutory authority to ban exports of hazardous wastes except pursuant to a bilateral agreement providing for the environmentally sound management of the wastes. We now have such agreements with Canada and Mexico. Proposed legislation supported by the Administration has recently been transmitted to the Congress.

I recommend that the Senate give early and favorable consideration to the Convention and its advice and consent to ratification.

GEORGE BUSH

The White House,
May 17, 1991.

Note: An original was not available for verification of the content of this message.

Message to the Senate Transmitting the Tunisia-United States Treaty Concerning the Reciprocal Encouragement and Protection of Investment

May 17, 1991

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Treaty Between the United States of America and the Republic of Tunisia Concerning the Reciprocal Encouragement and Protection of Investment,

with Protocol, signed at Washington on May 15, 1990. I transmit also, for the information of the Senate, the report of the Department of State with respect to this treaty.

The Bilateral Investment Treaty (BIT) program, initiated in 1981, is designed to encourage and protect U.S. investment. The

May 17 / Administration of George Bush, 1991

treaty is an integral part of U.S. efforts to encourage Tunisia and other governments to adopt macroeconomic and structural policies that will promote economic growth. It is also fully consistent with U.S. policy toward international investment. That policy holds that an open international investment system in which participants respond to market forces provides the best and most efficient mechanism to promote global economic development. A specific tenet, reflected in this treaty, is that U.S. direct investment abroad and foreign investment in the United States should receive fair, equitable, and nondiscriminatory treatment.

Under this treaty, the Parties also agree to international law standards for expropriation and compensation; to free financial transfers; and to procedures, including international arbitration, for the settlement of investment disputes.

I recommend that the Senate consider this treaty as soon as possible and give its advice and consent to ratification of the treaty, with protocol, at an early date.

GEORGE BUSH

The White House,
May 17, 1991.

Message on Cuban Independence Day

May 20, 1991

On May 20th, Cuban-Americans commemorate the 89th anniversary of Cuban independence, a day that celebrates the heroic efforts of the people who forged the Cuban Republic.

The history of our two countries is closely intertwined. During our own Revolution, when American troops were short on supplies, the women of Havana banded together and raised money for the cause of American freedom and independence.

Eighty-two years later, Cubans banded together and, after a long brutal struggle, built their own republic. Today we remember that victory for freedom and hope for its renewal in Cuba.

Freedom demands sacrifice. And the battle for freedom draws upon people's most heroic instincts and abilities. Jose Marti, a hero of freedom, the father of Cuban independence, said, "To witness a crime in silence is like committing it." So, today we again reiterate unwavering commitment for a free and democratic Cuba. Nothing shall turn us away from this objective.

I ask Fidel Castro to make this an Independence Day to remember. I call on Fidel Castro to free political prisoners in Cuba and allow the United Nations Commission on Human Rights to investigate possible human rights violations in Cuba. I challenge

Mr. Castro to let Cuba live in peace with its neighbors. And I challenge Mr. Castro to follow the examples of countries like Nicaragua, Panama, Paraguay, and Chile in their achievement of new democracies.

Put democracy to a test: permit political parties to organize and a free press to thrive. Hold free and fair elections under international supervision. Ninety-nine percent of the people of this hemisphere live either in a democracy or a country that is on the road to democracy. One percent live under the hemisphere's last dictator, Fidel Castro.

On Cuban Independence Day, our goals for the Cuban nation, shared by Cubans everywhere, are plain and clear: freedom and democracy, Mr. Castro, not sometime, not someday, but now. If Cuba holds fully free and fair elections under international supervision, respects human rights, and stops subverting its neighbors, we can expect relations between our two countries to improve significantly.

Thank you, and may God bless the freedom-loving people of Cuba and the United States.

Note: This message was recorded on May 16 in the Oval Office at the White House and